

REMARKS

Claims 1-18 are pending in this application. For the examiner's convenience a clean copy of said claims is presented for consideration. No claims have been currently cancelled, amended or added.

Claims 1-18 were subject to restriction as outlined in the Office Action.

Responsive to the restriction requirement set forth in the Office action, Applicants affirm election of the claims of group I, claims 1-5 for examination. Inventorship is unchanged.

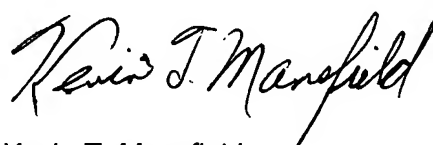
This election is made with traverse.

Claims 1-5 are directed to dyes of formula (1) or (1a), claims 6 and 7 are directed to processes to prepare them, claims 9-11 are directed to compositions comprising them and claims 12-18 are directed to methods of dyeing with them. Applicants respectfully submit that the compounds, their preparation, compositions comprising them and at least one use, i.e. dyeing a substrate, in particular human hair, are a single inventive concept.

Applicants acknowledge that, to facilitate examination under §103, where product and process claims are presented in the same application, an applicant may be called upon under 35 U.S.C. § 121 to elect claims to either the product or process. The claims to the non-elected invention will be withdrawn from further consideration. However, in the case of an elected product claim, rejoinder will be permitted when a product claim is found allowable and the withdrawn process claim depends from or otherwise includes all the limitations of an allowed product claim. According to the Guidance of the Commissioner of Patents and Trademarks' OG Notice concerning "Guidance on Treatment of Product and Process Claims in light of *In re Ochiai*, *In re Brouwer*, and 35 U.S.C. § 103(b)", 1184 Off. Gaz. Pat. Office 86 (March 26, 1996) in this regard, on finding the product claims to be allowable, rejoinder of the process claims is respectfully requested.

Applicants respectfully submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

A handwritten signature in black ink, reading "Kevin T. Mansfield". The signature is written in a cursive style with a large, stylized 'K' and 'M'.

Kevin T. Mansfield
Agent for Applicants
Reg. No. 31,635

Ciba Specialty Chemicals Corporation
540 White Plains Road
Tarrytown, New York 10591
(914) 785-7127
KTM\22861AR

MAY 02 2006

Enclosure: Claim of Priority